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This listing of claims will replace all prior versions, and listings, of claims in the application.

LISTING OF CLAIMS:

Claim 1 (15²) (previously presented): A composition which generates infectious influenza viruses from cloned viral cDNA comprising a set of plasmids wherein each plasmid comprises one viral genomic segment, and wherein viral cDNA corresponding to the viral genomic segment is inserted between an RNA polymerase I (pol I) promoter and a regulatory element or the synthesis of vRNA or cRNA with an exact 3' end, which results in expression of vRNA or cRNA, which are in turn inserted between an RNA polymerase II (pol II) promoter and a polyadenylation signal, which results in expression of viral mRNA and a corresponding viral protein, wherein the expression of the full set of vRNAs or cRNAs and viral proteins results in assembly of an infectious influenza virus.

Claim 2 (44) (currently amended): The composition of claim 1-5, wherein the regulatory element for the synthesis of vRNA or cRNA with an exact 3' end is an RNA polymerase I (pol I) terminator sequence.

Claim 3 (45) (currently amended): The composition of claim 1-5, wherein the regulatory element for the synthesis of vRNA or cRNA with an exact 3' end is a ribozyme sequence.

² Former claim number; claims were renumbered in the Examiner's Amendment which accompanied the Notice of Allowability dated December 29, 2004.